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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hoogland. Examiner: Nguyen, Thukhanh T.
Serial No.: 10/533,939 Group Art Unit: 1791
Filed: July 1, 2005 Docket: 294-217 PCT/US
Confirmation No: 8051 Dated: February 20, 2009
For: MOLD AND METHOD FOR
THE MANUFACTURE OF
HOLDERS SUCH AS TUB-
SHAPED CONTAINERS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed August 21, 2008, finally rejecting Claims 1-13 and 17.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

other than a small entity.
 small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Transmitted by facsimile to the Patent and Trademark Office


Signature

Date: February 20, 2009

Anne Arlauskas

02/23/2009 MBELETE1 00000017 082461 10533939
01 FC:1401 540.00 DA

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 41.20(b)(1), the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$270.00
<input checked="" type="checkbox"/>	other than small entity	\$540.00

Notice of Appeal fee due **\$540.00**

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B), as applicable)

(A) Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	Extension <u>(months)</u>	Fee for Other than <u>Small Entity</u>	Fee for <u>Small Entity</u>
<input type="checkbox"/>	one month	\$ 130.00	\$ 65.00
<input type="checkbox"/>	two months	\$ 490.00	\$ 245.00
<input checked="" type="checkbox"/>	three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/>	four months	\$1,730.00	\$ 865.00

Fee due for indicated extension **\$1,110.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for ___ months has already been secured. The fee paid therefor of \$ ___ is deducted from the total fee due for the total months of extension now requested.

(B) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee **\$ 540.00**
Extension fee (if any) **\$ 1,110.00**

TOTAL FEE DUE **\$ 1,650.00**

5. FEE PAYMENT

Attached is a check in the sum of \$ ____.

Charge Account No. 08-2461 the sum of \$ **1,650.00**

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

AND/OR

If any additional fee for claims is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

Respectfully submitted,



Steven T. Zuschlag
Registration No. 43,309
Attorney for Applicant

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